## United States District Court

for the

Eastern District of New York

MILTON EMILIO CANTOR MARCIA, individually and on behalf of others similarly situated,	) ) )
Plaintiff(s) V.	) Civil Action No. 18-cv-06552-JS-AYS
THE SPARE RIB, INC. (D/B/A THE SPARE RIB), et al.	)
Defendant(s)	) ) )

## **SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address) The Spare Rib, Inc. c/o The Spare Rib 2098 Jericho Turnpike

Commack, New York 11725

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are: Michael A. Faillace

MICHAEL FAILLACE & ASSOCIATES, P.C.

60 East 42nd Street, Suite 4510 New York, New York 10165

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DOUGLAS C. PALMER
CLERK OF COURT

Date: 11/26/2018 /s/ C. Valle

Signature of Clerk or Deputy Clerk

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Civil Action No. 18-cv-06552-JS-AYS

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

		ne of individual and title, if any)				
was re	ceived by me on (date)	·				
	☐ I personally served	I personally served the summons on the individual at (place)				
			on (date)	; or		
	☐ I left the summons at the individual's residence or usual place of abode with (name)					
		, a person of suitable age and discretion who resides there,				
	on (date)	on (date), and mailed a copy to the individual's last known address; or				
	☐ I served the summons on (name of individual)  designated by law to accept service of process on behalf of (name of organization)					
			on (date)	; or		
	☐ I returned the summons unexecuted because			; or		
	☐ Other (specify):					
	My fees are \$	for travel and \$	for services, for a total of \$	0.00		
	I declare under penalty of perjury that this information is true.					
Date:						
			Server's signature			
			Printed name and title			
			Server's address			

Additional information regarding attempted service, etc:

Print Save As... Reset

MICHAEL FAILLACE & ASSOCIATES, P.C. 60 East 42nd Street, Suite 4510 New York, New York 10165 Telephone: (212) 317-1200

Facsimile: (212) 317-1620 *Attorneys for Plaintiff* 

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

MILTON EMILIO CANTOR MARCIA, individually and on behalf of others similarly situated.

Plaintiff,

-against-

THE SPARE RIB, INC. (D/B/A THE SPARE RIB), TSR/HICKSVILLE INC. (D/B/A THE SPARE RIB), OUR NEXT STEP, LTD. (D/B/A THE SPARE RIB), MICHAEL IACONO, LEONARD IACONO, and FREDDY BLANCO,

*Defendants.* -----X Index No. 18-cv-06552-JS-AYS

RIDER TO REQUEST FOR SUMMONS